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गृह मंत्रालय
अधिसूचना

नई दिल्ली, 23 जुलाई, 1993

का.आ. 541(अ).—केन्द्रीय सरकार ने विधि विरुद्ध क्रियाकलाप (निवारण) अधिनियम, 1967 (1967 का 37) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यूनाइटेड लिबरेशन फ्रंट आफ़ अरम (अल्फा) को भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ. 866(अ) तारीख 27 नवम्बर, 1992 द्वारा विधि विरुद्ध संगम घोषित किया था।

और केन्द्र सरकार ने उक्त अधिनियम की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ. 916(अ) तारीख 21 दिसम्बर, 1992 द्वारा विधि विरुद्ध क्रियाकलाप (निवारण) अधिकरण का गठन किया था, जिसमें दिल्ली उच्च न्यायालय के न्यायाधीश न्यायमूर्ति जी जसपाल सिंह थे।

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना को 22 दिसम्बर, 1992 को इस बात के न्यायनिर्णयन के प्रयोजन के लिए उक्त अधिकरण को निर्दिष्ट किया था कि क्या उक्त संगम को विधि विरुद्ध घोषित करने के लिए पर्याप्त कारण था अथवा नहीं;

और उक्त अधिकरण ने उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अधिसूचना सं. का.आ. 866(अ) तारीख 27 नवम्बर, 1992 में की गई घोषणा की पुष्टि करते हुए, तारीख 25 मई, 1993 को एक आदेश किया था;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (4) के अनुसरण में उक्त अधिकरण के उक्त आदेश को प्रकाशित करती है।

[का. सं. 11011/109/90-एन.ई. 4]
भरुण प्रकाश शर्मा, संयुक्त सचिव (एन.ई.)

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 23rd July, 1993

S.O. 541(E).—Whereas the Central Government, in exercise of the powers conferred by sub-section (1) of Section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), declared the United Liberation Front of Asom (ULFA) to be an unlawful association vide notification of the Government of India in the Ministry of Home Affairs No. S.O. 866(E), dated the 27th November, 1992;

And whereas the Central Government in exercise of the powers conferred by sub-section (1) of section 5 of the said Act constituted vide notification of the Government of India in the Ministry of Home Affairs No. S.O. 916(E), dated the 21st December, 1992, the Unlawful Activities (Prevention) Tribunal, consisting of Shri Justice Jaspal Singh, Judge of the Delhi High Court;

And whereas the Central Government in exercise of the powers conferred by sub-section (1) of section 4 of the said Act referred the said notification to the said Tribunal on the 22nd December, 1992, for the purpose of adjudicating whether or not there was sufficient cause for declaring the said association as unlawful;

And whereas the said Tribunal, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, made an order on the 24th May, 1993, confirming the declaration made in the notification No. S.O. 866(E), dated the 27th November, 1992;

Now, therefore, in pursuance of sub-section (4) of Section 4 of the said Act, the Central Government hereby publishes the said order of the said Tribunal, namely :—

REPORT OF THE UNLAWFUL ACTIVITIES (PREVENTION) TRIBUNAL (CONSISTING OF HON'BLE MR JUSTICE JASPAL SINGH, JUDGE, DELHI HIGH COURT)

By its Notification No. S.O. 866 (E) published in the Gazette of India Extraordinary on November 27, 1992, the Central Government in pursuance of the powers conferred under Section 3(1) of the Unlawful Activities (Prevention) Act, 1967 (hereinafter called the Act), declared the United Liberation Front of Asom and the various wings thereof (hereinafter referred to as ULFA) to be an unlawful association on the ground that it has as its "professed aim", the "Liberation" of Assam from the Indian Union. The Notification further declared that the ULFA had been indulging in various illegal and violent activities with a view to disrupt the sovereignty and integrity of India, and to create a deep sense of insecurity among the people. Some of the activities mentioned are extortion of money, murders of political leaders, police officials, businessmen and others, threats, intimidation, kidnapping of people, snatching of fire arms from licence holders, dacoities, highway robberies and looting of banks, and forcible occupation of lands and buildings. It was claimed that

having regard to the circumstances namely, to meet the sustained and ever increasing violence committed by the ULFA in the recent past against the police, the other armed forces and civilians, it was necessary to declare the ULFA as an unlawful association "with immediate effect".

Consequent upon the Notification referred to above, this reference has been made under sub-section (1) of Section 4 of the Act.

Although notices were issued and served upon the ULFA in accordance with Section 4(2) of the Act to show cause in writing within 30 days of the service why it should not be declared as unlawful association, none has put in appearance on its behalf nor any cause has been shown by it or on its behalf. However, appearance has been put in by Mr. V. P. Singh, Senior Advocate along with Mr. Rajesh Bhatnagar, Advocate for the Central Government.

The Central Government, by way of evidence, has filed an affidavit of Mr. S.L. Bhat, Director in the Ministry of Home Affairs, New Delhi and a resume of the aims, objects and activities of the ULFA besides various documents.

From the affidavit placed on record it is clearly borne out that the ULFA has as its avowed object the secession of territories in the North Eastern Region from India by armed struggle with the cooperation and collaboration of the other extremist outfits in that region and that it has been indulging in activities such as murder of political leaders, police officials, security forces personnel besides looting and intimidating civilian population and collecting funds for the Organisation. The affidavit further reveals that on November 27, 1990 with the imposition of President's Rule, the whole of Assam was declared "Disturbed Area" under the Armed Forces (Special Powers) Act 1958 and thereafter "Operation Bajrang" was launched. Unfortunately even during "Operation Bajrang" top leadership of the ULFA could not be apprehended, with the result that it continued to be in a position to resume its activities.

The evidence further shows that after assumption of office by the popularly elected Government, the ULFA once again unleashed violence in a big way and blackmailed the popularly elected Government into releasing the ULFA detainees. Not only this, number of officials of the State and the Central Government and of Central Public Undertakings including a Soviet Mining Engineer working for Coal India Limited were kidnapped and threats were extended to kill them. On account of those kidnappings the State Government was pressurised into releasing about three hundred ULFA detainees including six hardcore ULFA extremists. This happened in the year 1991. Unfortunately, despite this gesture of Government of Assam, three of the hostages including the Russian Mining Engineer were killed. Mr. Bhat further states in his affidavit that unlawful activities on the part of the ULFA have continued unabated notwithstanding the initiative taken by the Government of Assam to hold talks.

As per the affidavit of Mr. Bhat the ULFA has continued to indulge in secession, subversion and various types of terrorist and illegal activities like killing of

persons, attack on police and other security forces, threats, intimidation kidnapping, snatching of firearms from licence holders, dacoities, highway robberies and looting of banks besides extortion of money. It is claimed that the members of the law enforcing agencies as well as common citizens have continued to be the target of violence and that the underlying aim of the ULFA has been secession from India by armed struggle and to undermine the authority of the lawfully established Government. The affidavit further proves that due to the violent activities of the ULFA, the Government of Assam had to redeploy army with effect from September 15, 1991 and that the Army had to launch "Operation Rhino" to curb its violent activities. In paragraph 10, the affidavit details several acts of violence committed by the ULFA.

In paragraph 12 of the affidavit, Mr. Bhat has given the details of the objectives of the ULFA as borne out from its Constitution. These objectives are as under :—

- (a) To achieve sovereignty of Assam by armed revolution.
- (b) To safeguard the people and interests of Assam and its neighbouring lands i.e. Nagaland, Manipur, Mizoram, Meghalaya, Arunachal Pradesh and Tripura.
- (c) To have full control over the revenue resources of Assam such as oil and natural gas, forests etc.
- (d) To gain public support against Indian and non-Indian exploitation.
- (e) To stand up against any suppression and repression of the Assamese masses.
- (f) To fight against forces of common and specific interest.
- (g) To open the field of discussion and understanding for political support with foreign countries in conformity with the aims and objects of ULFA for achieving this goal and design.
- (h) To exchange thoughts and mutual help with the countries having identical thoughts ideology and political notions.

The said Constitution has been placed on the record and is Annexure-VII.

Besides the Constitution of the ULFA which has been placed on the record and is marked as Annexure-VII, the Central Government has also placed on the record a letter received from the Government of Assam which is dated February 24, 1993. It is Annexure-VI. It gives the details of violent activities of the ULFA cadres. Besides those details the letter also refers to number of cases registered with various police stations and relating to the crimes committed by the cadres of the ULFA.

Yet another document which has been placed on the record by the Central Government is entitled; "The note on kidnapping of officials in Assam and steps taken by the Government of Assam".

From the evidence placed on the record it stands proved that the ULFA was born on April 7, 1979, that its sphere of activity extends to the entire North East Region and that, as per its Constitution, its "struggle" is for the "release" of Assam "from the injustice and impropriety of the Indian Republic and "to establish an Indian Assamese nation by releasing the Assam and Assamese people from the clutches of the Indian or non-Indians" and that the ULFA and its members have been indulging in various secessionist, violent and illegal activities to achieve that objective and to create terror and deep sense of insecurity among the people and especially those who are either opposed to or do not extend support to its objectives and to the methods deployed. It is further proved that the ULFA has been inciting the people in general against the Union of India and the Constitution of India and committing murders, dacoities, robberies etc. It further appears from the documents and the affidavit placed on the record that the ULFA and its cadres have been extorting money, kidnapping highly placed officials, keeping them as hostages and making illegal demands as a price for their release; and that police personnel and security forces deployed have also been their main target resulting in the death of many persons in uniform.

In view of the evidence on the record, I am satisfied that there was sufficient cause for declaring the ULFA to be an unlawful association by Notification No. S.O. 866(E) dated November 27, 1992 under sub-section (1) of Section 3 of the Unlawful Activities (Prevention) Act, 1967. Consequently, the declaration made by the Central Government in the said Notification is hereby confirmed.

May 24, 1993

JASPAL SINGH, Tribunal
[F. No. 11011/109/90-NE-IV]
A. P. SHARMA, Jt. Secy.

अधिसूचना

नई दिल्ली, 23 जुलाई, 1993

का.प्रा. 542(अ).—केन्द्रीय सरकार ने विधि विरुद्ध क्रियाकलाप (निवारण) अधिनियम, 1967 (1967 का 37) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बोडो सुरक्षा बल (बो.सु.ब.) को तारीख 23 नवम्बर, 1992 को विधि विरुद्ध संगम घोषित किया था;

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तारीख 21 दिसम्बर, 1992 को विधि विरुद्ध क्रियाकलाप (निवारण) अधिकरण का गठन किया था, जिसमें दिल्ली उच्च न्यायालय के न्यायाधीश न्यायमूर्ति श्री वाई.के. समरवाल थे;

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना को 22 दिसम्बर, 1992 को इस बात के

स्थापन के प्रयोजन के लिए निर्दिष्ट किया था कि क्या उक्त संगम को विधि विरुद्ध घोषित करने के लिए पर्याप्त कारण था अथवा नहीं;

और उक्त अधिकरण ने उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तारीख 15 मई, 1993 को एक आदेश दिया था;

अतः अत्र केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (4) के अनुसरण में उक्त अधिकरण के उक्त आदेश को प्रकाशित करती है।

[फा. सं. 11011/49/92-एनई-4]

अरुण प्रकाश शर्मा, संयुक्त सचिव (एन. ई.)

NOTIFICATION

New Delhi, the 23rd July, 1993

S.O. 542(E).—Whereas the Central Government, in exercise of the powers conferred by sub-section (1) of Section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), declared on the 23rd November, 1992, the Bodo Security Force (Bd. S.F.) to be an unlawful association;

And whereas the Central Government, in exercise of the Powers conferred by sub-section (1) of Section 5 of the said Act, constituted on the 21st December, 1992, the Unlawful Activities (Prevention) Tribunal consisting of Shri Justice Y. K. Sabharwal, Judge of the Delhi High Court;

And whereas the Central Government, in exercise of the powers conferred by sub-section (1) of Section 4 of the said Act referred the said notification to the Tribunal on the 22nd December, 1992, for the purpose of adjudicating whether or not there was sufficient cause for declaring the said association as unlawful;

And whereas the said Tribunal, in exercise of the powers conferred by sub-section (3) of section 4 of the Act, made an order on the 15th May, 1993;

Now, therefore, in pursuance of sub-section (4) of Section 4 of the said Act, the Central Government hereby publishes the said order of the said Tribunal, namely :—

BEFORE THE UNLAWFUL ACTIVITIES (PREVENTION) TRIBUNAL

In Re. :

Bodo Security Force (Bd. S.F.)

CORAM :

Hon'ble Mr. Justice Y. K. Sabharwal.

PRESENT :

Central Government through Mr. P. Singh,
Senior Advocate with Mr. Rajesh Bhatnagar,
Advocate.

State of Assam through Mr. Ranji Thomas and
Mr. P. K. Goswami, Advocates.

Bd. S. F.—Ex-parte.

ORDER

The Central Government, in exercise of powers conferred under sub section (1) of Section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967) (hereinafter called the "Act"), by Notification No. S.O. 851(E) dated 23rd November, 1992 declared the Bodo Security Force (hereinafter referred as "Bd. S. F.") to be an unlawful association.

By Notification No. S.O. 917(E) dated 21st December, 1992 issued by the Government of India, Ministry of Home Affairs, this Tribunal was constituted. In pursuance of the requirement of sub section (1) of Section 4 of the Act the Central Government has made this reference to the Tribunal. The reference made by sending to the Tribunal on 22nd December, 1992 a copy of the notification dated 23rd November, 1992, copy of the notification dated 21st December, 1992 constituting the Tribunal under Section (1) of Section 5 of the Act and a statement of facts described as 'Resume'. In the Resume the Central Government has stated the following facts :

"In the wake of the agitation launched by the All Bodo Students Union in support of various demands of the Bodo population, an extremist organisation namely the Bodo Security Force was formed during October 1986 under the leadership of Ranjan Daimari @ Ronsaigra Nabla Daimari with a view to "liberating Bodo-land through armed struggle." The outfit has been organising itself on the pattern of ULFA, an insurgent organisation also declared unlawful under the Unlawful Activities (Prevention) Act, 1967. Its present cadre strength is estimated around 300, including a few women cadres. The Bodo Security Force comprises the following office bearers :

- | | |
|-----------------------|-----------------------|
| 1. Ranjan Daimari | Chairman |
| 2. Hectorson Machari | Home Secretary |
| 3. Nileshwar Brahma | Finance Secretary |
| 4. Gobinda Basumatary | Foreign Secretary |
| 5. Dhiren Boro | Military Secretary |
| 6. Gopal Boro | Information Secretary |
| 7. Sansuma Basumatary | Publicity Secretary |
| 8. Amarendra Brahma | General Secretary |
| 9. Hola Daimari | Political Secretary |
| 10. Ananda Wari | Commander. |

2. Bodo Security Force was formal with the following aims and objectives :

1. Liberate Bodoland through armed struggle for distinct identity and civilisation of Bodos.

2. Transform a Democratic Socialist Society to promote Liberty, Equality and Fraternity.
3. Free the Bodo nation from Socio-Political and Economic exploitation, oppression, suppression and colonisation.
4. To struggle for National Liberation of the Indo-Burma Region in alliance with other Armed Revolutionary Organisations of the oppressed aboriginal nationalities of the North East Region.

3. "The law and order and security situation in Bodo dominated areas on the north bank of Brahmaputra valley in Assam is causing concern on account of killings, arson, lootings and extortions by the Bodo Security Force.

3.1 Bodo militancy in Assam has manifested in three district streams. The older movement led by Plains Tribal Council of Assam (PTCA) has conceded considerable political place to All Bodo Students Union (ABSU) Bodo Peoples Action Committee (BPAC) who have been demanding a separate state of Bodoland, unlike PTCA's demand of "Udayachal" as Union Territory/State through peaceful means. ABSU/BPAC have influence in the district of Kokrajhar. Udalgi sub-division of Darrang district and some pockets of Nalbari, Barpeta, Dhubri, North Lakhimpur and Sonitpur districts of the State. The Bodo Security Force, which forms the other stream of Bodo militancy, made its appearance in late 1986. Its moto is "let us die for Bodo nation, but let not Bodo nation die for us". This sinister underground body has considerable hold among the tribals in Darrang, Sonitpur and Lakhimpur districts of Assam. It has, of late, gained considerable notoreity.

4. At the initial stage, the Bodo Security Force was formed with about 30 (thirty) members hailing from the district of Darrang only. Its HQ was declared to be at DWIMU. In course, its membership has grown to 300 (Three hundred) approximately hailing from the districts of Kokrajhar, Nalbari, Kamrup, Sonitpur and Karbi Anglong, the principal base being Udalgi Subdivision of Darrang District.

5. The Bodo Security Force members are recruited under three categories :—

1. Political cadre who educate and make Bodo people politically conscious arousing revolutionary spirit;
2. Field study cadre who make spot study of the Bodo population of various Bodo inhabited locality to assess the economical, cultural and social position.
3. Army cadre who undergo guerilla training for operational purpose which include dacoities, robberies, extortion, murder etc.

6. It was developed links with the other nascent insurgent outfit, viz. the United Volunteers of Arunachal (ULVA) and has also established contact with the NSCN from which it has received the services of trainers, as well as technical guidance for carrying out activities like the Itanagar bank robbery. With improvement in its financial position and arms holding

and successes in forging closer links with other insurgent organisations of the North-East, the Bodo Security Force is emerging as one more serious threat to the security of the region.

7. In furtherance of the objective of Bodo Security Force, the Chairman Ranjan Daimary being accompanied by Nileharan Daimari went to NSCN HQ at Burma and established contact with the NSCN/UNLF leadership for help in imparting training to the Bodo Security Force cadres in Guerilla warfare, handling of various arms and explosive etc. and supply of arms of Bodo Security Force. The NSCN leadership agreed to extend help and accordingly during the first part of 1988, 3 NSCN/UNLF activists were deputed to impart training to Bodo Security Force recruits and help in operations. These three activists stayed with the Bodo Security Force activists in Udalgi area. They imparted training in Bodo Security Force recruits for about 3 months and participated in a number of dacoities in Darrang district and Bank dacoities in Meghalaya. Attempts to establish contact with like-minded organisations like PLA of Manipur and TNV of Tripura are being made by the leadership of Bodo Security Force for mutual help. An abortive attempt was made by Bodo Security Force leaders in 1987 to develop dialogue with ULFA. There is information that Bodo Security Force has developed good relation with some ULFA activists.

8. In course of time, the Bodo Security Force established several training camps within and outside the State of Assam where training in handling of various arms/explosives/tactic of encounter were given by its own experts. At present the trained Bodo Security Force recruits are estimated to be around 300 (Three hundred) who underwent training in 5 batches.

According to various reports the Bodo Security Force established camps in the following places :—

1. Gurungjuli Hills under Rangapara (since busted by Army during the operation).
2. Daifang training camp.
3. Samning training camp—in Bhutan since busted by Army.
4. Doimukh under Daisam district, in Bhutan accessible from Bhairabkunda side. This camp is now the HQ of Bodo Security Force and it is connected to two "defence camps" namely No. 1 and No 2 (defence camps).
5. Daimakuchi camp in Bhutan reportedly still working.

9. From various reports and interrogation statements of some hardcore Bodo Security Force activists, it has been estimated that the Bodo Security Force possesses the following strength of arms and ammunition/explosives etc. which were procured mainly from sources at Nagaland and Shillong. The Bodo Security Force Armoury includes snatched arms also. The arms holding of this Militant outfit is as under :—

| | |
|--------------|---------|
| 1. 303 Rifle | 30 Nos. |
| 2. 22 Rifle | 2 Nos. |

| | |
|----------------------|-----------------|
| 3. L.M.G. | 2 Nos. |
| 4. Stengun | 10 Nos. |
| 5. AK-47 | 4 Nos. |
| 6. US Carbine | 1 Nos. |
| 7. Mouser | 1 Nos. |
| 8. Indian Carbine | 1 Nos. |
| 9. Pistol | 10 Nos. |
| 10. Revolver | 12 Nos. |
| 11. Thompson Carbine | 1 Nos. |
| 12. SBBL/DDBI gun | 10/12 Nos. |
| 13. Grenades | 100 Nos. |
| 14. Ammunition | 10,000 (approx) |
| 15. 2" Mortar | 7 Nos. |
| 16. Hand Bomb | 6 Nos. |
| 17. Walkie Talkie | 4 Nos. |

They are reportedly, in possession of remote control devices also.

10. The financial position of the organisation was not satisfactory till 1990. It has apparently improved after Bodo Security Force collected a huge amount of money running into crores of rupees through bank dacoity, looting of public money, Tea Estate money, ransom money in exchange of kidnapped persons including Managers of Tea Estate. Well known among these include the lotting of over 1 (one) crore rupees from SBI Bank at Itanagar, Arunachal Pradesh on March 8, 1991 with the help of NSCN and local ULFA and release of Managers of Dimakuchi Tea Estate and Naoipara Tea Estate of Darrang district on clandestine payment of 1 crore 25 lakhs and 20 lakhs respectively as ransom. Many cases of extortion of money have not been reported to police by aggrieved persons for fear of reprisal. Lately, the outfit launched a widespread extortion drive in Darrang district mainly targetting the tea gardens, PWD and Irrigation Departments and non-Assamese businessmen. Various tea gardens in Darrang district have been asked to pay Rs. 20,000 per hectare as land revenue.

11. Although initially the activities/operation of the Bodo Security Force were limited in Darrang district, later on these extended to areas of Nalbari, Kamrup, Sonitpur districts. Some serious acts of violence indulged in by the Bodo Security Force include attack on URMCA leaders, killing of 6 Nepalese in Darrang district on 21-2-1992, one ABSU(U) supporter on 12-3-1992 and a Police Havaldar and a Constable in Kokrajhar district on 18-3-1992. Between 21-4-1992 to 27-7-1992, the Bodo Security Force killed at least 15 persons including 2 Police personnel and 13 civilians. The Bodo Security Force is also responsible for Bank dacoities at Shillong and Itanagar committed during 1988 and 1991 respectively.

12. In furtherance of the objective of arms struggle the Bodo Security Force committed several Bank dacoities, robberies, murders, extortions, kidnapping prominently since 1988 till now."

On receipt of the reference notice under sub-section (2) of Section 4 of the Act was issued to Bd. S.F. calling upon it to show cause in writing within 30 days from the date of the service of the notice why it should not be declared unlawful and why orders should not be made confirming the declaration made in the notification dated 23rd November 1992. The notice was directed to be served on Bd.S.F. by various modes. Despite service of notice no one entered appearance on behalf of the Bd.S.F. nor any cause has been shown in response to the notice.

The Central Government, by way of evidence, filed an affidavit dated 16th March, 1993 of Shri S. L. Bhatt, Director in the Ministry of Home Affairs, Government of India, alongwith certain documents. On 22nd March 1993 the following issues were framed :—

1. Whether on the facts and circumstances stated in the Notification dated 23rd November 1992 and the resume accompanying the reference, there is sufficient cause for declaring the Bodo Security Force unlawful?

2. What orders should be made, either confirming the declaration made in the Notification or cancelling the same, under sub section (2) of Section 4 of the Act?

The Central Government was granted opportunity to produce any further documents or affidavits or further material to substantiate the issue that there was sufficient cause for declaring Bd.S.F. unlawful. The Central Government was also directed to file list of witnesses. An application was filed by the Central Government on 2nd April 1993 alongwith list of 19 witnesses together with records of 31 cases as had been received from the Government of Assam. The Central Government prayed that since the record of the cases were available with the State Government and on account of the fact that witnesses are employees of the Government of Assam, the Tribunal may consider the desirability of examining the witnesses and records at Guwahati. The prayer was allowed. On 2nd April 1993 an affidavit of Mr. Bhatt was also filed setting out brief particulars of the cases sent by Government of Assam. The sittings of the Tribunal were also held at Guwahati.

The Central Government has produced five witnesses. The witnesses whose oral testimony has been recorded are Mr. Ravi Kant Singh, Superintendent of Police, Darrang District Headquarters at Mangaldai, Mr. Maheshwar Bora, Officer Incharge, Police Station Maibat, Mr. Mohinder Bara, Officer Incharge Police Station Tangla, District Darrang, Mr. Gunakanta Buragosi, Officer Incharge Police Station Udalgiri and Mr. S. M. Talukdar, Superintendent of Police (Special Operation Unit), Government of Assam. During the course of evidence some documents were also produced.

The Central Government by the notification dated 23rd November 1992 had declared Bd S.F. to be an unlawful association on the ground that it had been indulging in various illegal and violent activities intended to disrupt or which disrupt sovereignty and

integrity of India such as by creating a deep sense of insecurity among the people and by committing other acts, like bank dacoities, robberies, murders, extortions, kidnappings, harassment of people and snatching of fire-arms. The notification also states that Bd.S.F. has as its professed aim, "Liberation" of Bodo land resulting in bringing about the secession of the said areas from the Indian Union in alliance with other armed secessionist organisations of the North East region. The Central Government further formed the opinion that having regard to the circumstances, namely, to meet the sustained and ever increasing violence committed by Bd.S.F. in the recent past against the Police, the other armed forces and the civilians, it is necessary to declare the Bd.S.F. to be an unlawful association with immediate effect.

From the affidavits as well as oral and documentary evidence produced on record it appears that :—

Bd.S.F. was established sometime in the year 1986 and it had also established contacts to collaborate with other terrorist organisation, namely, United Liberation Front of Asom (ULFA), for mutual military and political help to each other and for cooperation and mutual help and assistance in organisational and operational matters. That the main aim of Bd.S.F. is secession of Bodo dominated areas from the Indian Union. The members of the Bd.S.F. have been making attacks against Police, Government employees and Civilians and had killed various people and they have been kidnapping people to extort money and, in particular, they have been indulging in kidnapping of persons working in the Tea Gardens falling in the Bodo dominated areas and demanding huge money as contribution to their freedom struggle. Members of Bd.S.F. by their letter dated 25th October 1990 addressed to the President, Mangaldoi Gymkhana Club, demanded from the tea estates falling under that Club a sum of Rs. One Crore Fifty lakhs per annum towards their struggle and threatened that on failure to pay the amount action will be taken "to free thousands of acres of land from your encroachment as well from exploitation and colonisation." Members of Bd.S.F. have been indulging in bank robbery and killing of armed personnel and police officials and have been receiving military training at Camps in Bhutan. The payment of huge sums were made to members of Bd.S.F. as ransom money before the release of Managers of Tea Gardens. On failure to pay huge sums as annual tax as demanded by members of Bd.S.F. from the Tea Gardens, they have been indulging in killing of tea garden officials. A large quantity of sophisticated arms and ammunition was recovered from members of Bd.S.F. The motto of Bd.S.F. is "Let us die for Boro Nation, but Let not

Boro Nation die for us". The terrorist and subversive activities of the members of Bd.S.F. in Assam are aimed at liberating the Bodo dominated areas with armed struggle for distinct identity and civilisation of the Bodos.

The constitution of Bd.S.F. lays down its objectives as under :—

1. Liberate the Bodo land through armed struggle for distinct identity and civilisation of the Bodos.
2. Transform a Democratic socialist society to promote Liberty, Equality and Fraternity.
3. Free the Bodo Nation from Socio-Political and Economic exploitation, oppression, suppression and colonisation.
4. Struggle for National Liberation of Indo-Burma Region in alliance with other Revolutionary Organisations of the oppressed aboriginal Nationalities of the Region.

The material has been placed on record to show that the Bd.S.F. is an armed insurrectionary organisation aimed to liberate Bodo dominated areas of Assam from Indian Union. It appears from the record that the objective of Bd.S.F. for achieving an independent Bodo land amounts to secessionist activity which would disrupt the sovereignty and territorial integrity of India. It further appears that with a view to achieve the aforesaid objective the Bd.S.F. has encouraged and aided its members to undertake unlawful activities. The issues framed on 22nd March, 1993 deserve to be answered in affirmative.

From the evidence on record, I am satisfied that there was sufficient cause for declaring Bd.S.F. to be an unlawful association by Notification No. S.O. 851(E) 23rd November 1992, issued by the Government of India, Ministry of Home, under Section 3(1) of the Act. The declaration made by the Government of India in the said Notification is hereby confirmed.

Signed and delivered
this 15th day of May, 1993 at
New Delhi.

Sd/-

Justice Y. K. SABHARWAL,
Unlawful Activities
(Prevention) Tribunal

[F. No. 11011/49/92-NE. IV]
A. P. SHARMA, Jt. Secy.

